



General Assembly

**Substitute Bill No. 5324**

February Session, 2014



**AN ACT INCREASING THE MINIMUM AMOUNT OF ASSETS THAT  
MAY BE RETAINED BY THE SPOUSE OF AN INSTITUTIONALIZED  
PERSON.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this  
2 section:

3 (1) "Institutionalized spouse" has the same meaning as provided in  
4 42 USC 1396r-5(h)(1).

5 (2) "Community spouse" has the same meaning as provided in 42  
6 USC 1396r-5(h)(2).

7 (3) "Minimum community spouse protected amount" means the  
8 minimum amount of assets a community spouse of an institutionalized  
9 spouse may keep pursuant to 42 USC 1396r-5(f)(2).

10 (b) The Commissioner of Social Services shall amend the Medicaid  
11 state plan in accordance with federal law to set the minimum  
12 community spouse protected amount at fifty thousand dollars.

13 (c) Not later than July 1, 2015, the commissioner shall report on the  
14 fiscal impact of the minimum community spouse protected amount, in  
15 accordance with the provisions of section 11-4a of the general statutes,  
16 to the joint standing committees of the General Assembly having

17 cognizance of matters relating to human services and appropriations  
 18 and the budgets of state agencies. Such report shall include, but not be  
 19 limited to: (1) The number of community spouses who were able to  
 20 keep additional assets as a result of the increase in the minimum  
 21 community spouse protected amount pursuant to subsection (b) of this  
 22 section; and (2) the cost to the state of increasing said amount.

23 (d) The commissioner shall adopt regulations, in accordance with  
 24 the provisions of chapter 54 of the general statutes, to implement the  
 25 provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	New section
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**Statement of Legislative Commissioners:**

In subsection (a)(3), the second reference to "community spouse" was changed to "community spouse of an institutionalized spouse" for consistency with the defined term and subsection (b) was rephrased for clarity.

**HS**            *Joint Favorable Subst. C/R*

APP

**APP**            *Joint Favorable Subst.-LCO*